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In re Application of: GRANT, et al.	:	
U.S. Application No.: 10/538,164	:	DECISION ON RENEWED
PCT No.: PCT/US2003/038961	:	REQUEST UNDER
International Filing Date: 08 December 2003	:	37 CFR 1.497(d)
Priority Date: 08 December 2002	:	
Atty Docket No.: IMMR-0152E(034701-518)	:	
For: HAPTIC COMMUNICATION	:	
DEVICES	:	

In a decision mailed by this Office on 26 September 2007, applicants' request to correct inventorship was dismissed without prejudice for failure to satisfy all the requirements of 37 CFR 1.497(d).

On 26 December 2007, applicants filed the "Response To Dismissed Petition" considered herein as a renewed request under 37 CFR 1.497(d), with required extension fee. The present submission resolves a number of the defects identified in the previous decision. Specifically, applicants have provided: (1) a revised statement of lack of deceptive intent from added inventor Erik J. SHAHOIAN in which the hand-written alteration in the inventor's name has been corrected; (2) a revised statement of the assignee's consent to the correction in which the hand-written alteration in the inventor's name has been corrected (with required statement under 37 CFR 3.73(b)); and (3) complete copies of the declarations executed by each of the inventors, including the two inventors being added, Dean C. CHANG and Erik J SHAHOIAN.


However, applicants have failed to address the final issue raised in the previous decision, that is, the non-dated, non-initialed handwritten change in the spelling of inventor Erik J. SHAHOIAN's name contained on page 4 of the declaration. As expressly stated in the previous decision, because the Office will not consider whether non-initialed and/or non-dated alterations were made before or after the signing of the oath or declaration, "a newly executed declaration is required." The renewed petition includes a newly executed declaration from added inventor Eric J. SHAHOIAN in which the hand-written alteration has been corrected. However, the complete declarations executed by each of the other inventors provided with the renewed petition all contain the hand-written alteration on page 4 identified as a defect in the previous decision.

Based on the above, applicants have not satisfied all the outstanding requirements for a grantable petition, as set forth in the previous decision. Accordingly, the renewed petition under 37 CFR 1.497(d) is **DISMISSED** without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should include a cover letter entitled "Second Renewed Request Under 37 CFR 1.497(d)" and must include final requirement for a grantable petition, that is, a newly executed declaration in which the hand-written alteration on page 4 has been corrected.

Failure to file a proper response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a)

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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